

CITY OF SAN JOSÉ, CALIFORNIA
 Department of Planning, Building and Code Enforcement
 801 North First Street, Room 400
 San José, California 95110-1795

Hearing Date/Agenda Number
 H.L.C. 04/02/03

Item 4.b.

File Number
 HP03-002

Application Type
 Historic Preservation Permit

Council District
 3

SNI
 13th Street

Planning Area
 Central

Assessor's Parcel Number(s)
 249-45-025

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Lee Butler

Location: East side of North Fourth Street approximately 400 feet south easterly of East Empire Street (458 N 4th St.)

Gross Acreage: 0.145

Net Acreage: 0.145

Net Density: 13.8 DU/AC

Existing Zoning: R-M Residential

Existing Use: Unpermitted Duplex

Proposed Zoning: No change

Proposed Use: Duplex

GENERAL PLAN

Completed by: FLB

Land Use/Transportation Diagram Designation
 Medium Density Residential (8-16 DU/AC)

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: FLB

North: Detached Single-family Residential

R-M Residential

East: Detached Two-family Residential

R-M Residential

South: Detached Single-family Residential

R-M Residential

West: Detached Single-family Residential

R-M Residential

Completed by: FLB

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: FLB

Annexation Title: Original City

Date: 3/27/1850

PLANNING DEPARTMENT RECOMMENDATIONS

☒ Recommend Approval
☐ Recommend Approval with Conditions
☐ Recommend Denial

Date: _____

Approved by: _____

OWNER	DEVELOPER	ARCHITECT
George & Roberta Frank 2032 Highland Park Lane Campbell, CA 95008	Gower Properties 164 N Bascom Avenue San Jose, CA 95128	Kevin Mequet 824 Harliss Avenue San Jose CA 95110

PUBLIC AGENCY COMMENTS RECEIVED	Completed by: FLB
Department of Public Works Strong Neighborhoods Initiative	
Other Departments and Agencies	
None	

GENERAL CORRESPONDENCE
None

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant is requesting a Historic Preservation Permit in conjunction with a Site Development Permit to legalize an existing duplex use, to provide the required four parking spaces for the duplex, and to modify the exterior of the existing residential structure on the 0.145 gross acre subject property. The Historic Preservation Permit is required in accordance with Chapter 13.48 of the San Jose Municipal Code, and section 20.80.300 of the San Jose Municipal Code requires that a Site Development Permit be approved for the conversion of a single-family residence to a two-family residence. The Site Development Permit will be heard at the Planning Director's public hearing (April 16th) subsequent to the Historic Landmarks Commission April 2nd public hearing for the Historic Preservation Permit.

The site is zoned R-M Multi-Family Residential and is designated Medium Density Residential (8-16 DU/AC) on the adopted San Jose 2020 Land Use and Transportation Diagram. Surrounding land uses include single-family detached residential to the north and south on 4th Street, single-family residential to the west across 4th Street, and two-family residential to the east on 5th Street.

Historic Resource Description

The property is located in the Hensley National Register Historic District and City Landmark District, and the residence is listed as a Contributing Structure. The original Eastlake cottage was constructed circa 1888. A kitchen and bathroom addition was added to the front unit circa 1948; at the same time a second unit was added to the rear of the structure. The approved Building Permit authorized the structural addition but not the addition of a second residential unit. There is no DPR on file for this property.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15331 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from environmental review in that the project is limited to the rehabilitation of a historical resource in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

GENERAL PLAN CONFORMANCE

The proposed project is consistent with the site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC). Additionally, the rehabilitation is consistent with the General Plan Historic, Archaeological and Cultural Resources Goal of the preservation of historically significant structures and districts in order to promote a greater sense of awareness and community identity and to enhance the quality of urban living.

PROJECT DESCRIPTION

Use: As the City recognizes the legal use of the property to be a single-family residence, the project proposes to change the legal use to a two-family residence.

Site: The required number of parking spaces for the proposed duplex (given the bedroom count) is four, and the site is being reconfigured to provide these spaces. The existing two-car garage is being relocated further towards the southeast corner of the property, and additional paving for two new parking spaces is being added in the rear of the property, adjacent to the existing residence. A new landscaping plan would be incorporated, and a new landscaped patio area is proposed in the rear, northeast portion of the site.

Structure: The applicant is also proposing various changes to the exterior of the existing residential structure. Specifically, the applicant proposes to reroof the building in composition shingle, repair and refurbish and/or replace various portions of the siding, decorative trim, window trim and stairs. Aluminum frame windows will be replaced with new wood windows. Removal and replacement of the entry doors to the front and rear unit is also proposed. The siding on the two later additions will be replaced with horizontal wood siding differentiated from the siding on the original home. The building will be repainted and the applicant is proposing to install gutters.

Samples of the proposed gutter treatment, color boards and roof treatment will be presented at the April 2nd meeting.

ANALYSIS

The primary historic project issue is conformance with the Secretary of the Interior's Standards for Rehabilitation. The project conforms to the Standards in general and in particular to Standards No. 1, No. 6 and No. 9.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where

the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Since the construction of the rear addition circa 1948, the structure has been used alternatively as a single-family and two-family residence intermittently. The project proposes to legalize the use as a two-family residence; this will require minimal alteration to the site and structure in conformance with Standard No. 1.

In conformance with Standard No. 6, the proposal preserves historic features by repairing and refurbishing them where possible. Where replacement is proposed, the new features match the historical features in design, texture, and materials.

In conformance with Standard No. 9, new materials for the existing rear addition are to be compatible, but not mimic, the original historic features of the original front residence.

COMMUNITY OUTREACH

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 500 feet of the subject site.

RECOMMENDATION

Planning staff recommends that the Historic Landmarks Commission find that the proposal conforms to the Secretary of the Interior's Standards and recommend approval of the proposed alterations to the Director of Planning with standard and special conditions as follow:

1. Find that the colors and materials are in conformance with the Secretary of the Interior's Standards
2. Recommend that the replacement wood frame windows on the front façade are of a simple one over one double hung wood window type
3. Find that the replacement materials for the rear addition portion of the structure are sufficiently compatible without mimicking the historical materials
4. Find that the new gutters are in character with the historical context of the site and structure
5. Recommend approval of the proposed project to the Director of Planning.